

Amendment No. 1 to HB2775

Hargrove
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3428

House Bill No. 2775*

By adding the following new sections to precede the effective date section:

SECTION ____ Tennessee Code Annotated, Section 62-35-119(a), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1)(A) Upon receipt of an application for a registration card, the commissioner:

(i) Shall conduct an investigation to determine whether the statements made in the application are true;

(ii) Shall cause the applicants for unarmed or armed security guard/officer registration to have their fingerprints submitted to the Tennessee bureau of investigation and the federal bureau of investigation for a search of its files to determine whether the applicant has any recorded convictions. The department, upon request of the Tennessee bureau of investigation or the federal bureau of investigation, shall also furnish photographs of an applicant.

(iii) Shall cause all persons employed by a contract security company or proprietary security organization, who are employed either full-time or part-time, with access to records, diagrams, plans, keys, phone numbers, cash, deposits, or sensitive information relative to the security of employees, other persons or property shall have their fingerprints submitted to the Tennessee bureau of investigation and the federal bureau of investigation for a search of its files to determine whether such employees have any recorded convictions. The department, upon request of the Tennessee bureau of investigation or the federal bureau of investigation, shall also furnish photographs of an employee.

(B) All persons, other than unarmed or armed security guards/officers, shall, within thirty (30) days of their employment with a contract security or proprietary security organization, furnish the commissioner with:

(i) Three (3) sets of classifiable fingerprints on standard FBI/TBI applicant cards, unless electronic fingerprints are selected by the employee;

(ii) Three (3) recent photographs;

(iii) A completed application with statements of any criminal convictions;

and

(iv) A statement that the employee is at least eighteen (18) years of age.

SECTION _____. Tennessee Code Annotated, Section 62-35-119, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Pending the issuance or renewal of a registration card by the commissioner, an applicant may work as an unarmed security guard/officer if a copy of the completed application is on file or in the possession of the commissioner or the commissioner's designee and a copy of the completed notarized application is in the applicant's possession while performing the duties of an unarmed security officer/guard. A qualified applicant may receive a temporary armed registration card pending receipt of a federal bureau of investigation criminal background report. The commissioner shall notify an applicant that all elements required for an armed registration card have been satisfied except for the federal bureau of investigation background investigation report. The applicant may use written notification from the commissioner or the commissioner's designee until final action is taken by the commissioner in regard to such application. Such written notification shall be in the applicant's possession while performing the duties of an unarmed security officer/guard. The written notification shall contain an expiration date set by the commissioner. If no determination whether to issue a registration card has been made upon the expiring of a temporary armed registration card, a second temporary armed registration card may be issued.

SECTION _____. Tennessee Code Annotated, Section 62-35-119(c), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) The commissioner shall issue to a qualified law enforcement officer who has obtained certification from the peace officers standards and training commission a

registration card as an armed or unarmed security guard/officer upon receipt of an application, payment of all required fees, and verification of certification from the peace officers standards and training commission.

SECTION ____ Tennessee Code Annotated, Section 62-35-119, is amended by adding a new subsection thereto, as follows:

(d) Nothing in the section shall be construed to allow an armed security guard/officer to carry a firearm unless such security guard/officer has in the security guard/officer's possession a valid armed registration card issued by the department.